

Accordingly, the court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling

that plaintiff's application to proceed *in forma pauperis* [R. 1] is **DENIED**. **IT IS FURTHER ORDERED** that the complaint [R. 2] is **DISMISSED** for failure to state a claim for which relief can be granted.

The Clerk is **DIRECTED** to close the case.

Enter:


UNITED STATES DISTRICT JUDGE